

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>CAPITAL FUNDING, VI, LP,</b>	:	<b>CIVIL ACTION</b>
	:	
	:	
<b>v.</b>	:	
	:	
<b>CHASE MANHATTAN BANK</b>	:	
<b>USA, N.A.,</b>	:	<b>NO. 01-CV-6093</b>

**MEMORANDUM ORDER**

By Memorandum and Order of September 22, 2003, the Court denied Plaintiff's Motion for Leave to Amend the Complaint to Reinstate the Punitive Damages Claim. Plaintiff Capital Funding, VI, LP has filed a Motion for Reconsideration of that decision and clarification of the Court's scheduling order of the same date.

Courts should grant motions for reconsideration sparingly, reserving them for instances where there has been "(1) an intervening change in controlling law, (2) the emergence of new evidence not previously available, or (3) the need to correct a clear error of law or to prevent a manifest injustice." General Instrument Corp of Delaware. v. Nu-Tek Elecs. & Mfg., Inc., 3 F. Supp. 2d 602, 606 (E.D. Pa. 1998), aff'd., 197 F.3d 83 (3d Cir. 1999); see also Harsco Corp. V. Zlotnicki, 779 F.2d 906, 909 (3d Cir. 1985), cert. denied, 476 U.S. 1171, 106 S.Ct. 2895 (1986) ("The purpose of a motion for reconsideration is to correct manifest errors of law or fact or to present newly discovered evidence."). Mere dissatisfaction with the court's ruling is not a proper basis for reconsideration. See U.S. v. Phillips, Nos. Civ. A. 97-6475, 93-CR-513, 2001 WL 527810, at \*1 (E.D.Pa. May 17, 2001) (citing Burger King Corp. v. New England Hood and Duct Cleaning Co., No. 98-3610, 2000 WL 133756, at \*2 (E.D.Pa. Feb. 4, 2000)).

The Court has considered and rejected Plaintiff's arguments not once, but on

several occasions. There is nothing new in Plaintiff's present Motion that merits reconsideration. As for Plaintiff's request that the Court clarify its scheduling order of September 22, 2003, that order is abundantly clear on its face and in no need of clarification. Ultimately, Plaintiff merely appears to disagree with the Court's rulings, which alone is not a proper basis for granting Plaintiff's Motion.

ACCORDINGLY, this            day of January, 2004, upon consideration of Plaintiff Capital Funding, VI, LP's Motion for Reconsideration and Clarification (Dkt. No. 24), and Defendant Chase Manhattan Bank USA, N.A.'s response thereto, it is hereby ORDERED that Plaintiff's Motion is **DENIED**.

**BY THE COURT:**

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**LEGROME D. DAVIS, J.**